

The Report of the  
**Committee on  
State Government Employees of the**

Governor's Task Force on the Economic  
Status of Kentucky's Women

A project of the Kentucky Commission on Women

[www.women.ky.gov](http://www.women.ky.gov)

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The purpose of the Governor's Task Force on the Economic Status of Kentucky's Women (Task Force) was to examine the issues that are obstacles to the economic progress of Kentucky women, identify solutions, and develop a plan of action. Governor Paul E. Patton appointed this Task Force in November 2001 for one year because of the recognition that without strengthening Kentucky women, we cannot strengthen Kentucky.

When Governor Patton appointed the Task Force, he specifically instructed that the status of women in state government be researched. Working under the direction of the Task Force, five committees of volunteers—totaling over 300 women and men from across the Commonwealth—identified the problems, conducted research, gathered examples of resources and models, and proposed solutions. When the Task Force completed its work, the members decided that because of the unique nature of state government, the report of the Committee on State Government Employees should be released separately from the final report of the Task Force.

The work of many volunteers went into this report. The work of these and many more will be needed in order to see that these recommendations are carried out.

# **Governor's Task Force on the Economic Status of Kentucky's Women**

## **COMMITTEE ON STATE GOVERNMENT EMPLOYEES**

### **Introduction**

"Many of the changes underway inspire optimism about the future well-being of women in Kentucky . . . . While the status of women is being buoyed by remarkable change and progress, the vestiges of discrimination and inequality remain." (from The Future Well-Being of Women in Kentucky)

In a recent Communiqué article, Personnel Secretary Carol Palmore applauded "dramatic" changes in the "doors of opportunity" to women and minorities in state government. Among those changes listed were the following: women comprising one-half of the Executive Cabinet; first woman appointed to the position of Secretary of the Governor's Executive Cabinet; first woman appointed to the position of State Highway District Engineer; more women appointed to judgeships than previous three governors' terms combined; first African-American woman appointed to a Circuit Judgeship; and a woman state trooper appointed to head a State Police Post.

While these changes show Governor Patton's commitment to provide leadership opportunities for women in state government, that same commitment is not always seen in the top management levels of the state's cabinets and agencies. Research indicates that women in state government still suffer inequities due to these challenges:

- Discrimination and barriers in employment practices,
- Inconsistent application and lack of communication of state personnel rules and policies,
- Lack of flexibility and innovation in employee benefits, and
- Barriers to equal opportunities for education, training, and career development.

### **CHALLENGE I: Discrimination and Barriers in Employment Practices**

"The work of women, 51% of Kentucky's population, has been undervalued for far too long. Fair pay strengthens Kentucky by strengthening Kentucky women." (Betsy Nowland-Curry, Executive Director of the Kentucky Commission on Women, Press Release, April 3, 2001)

What *is* the status of women in state government? The following facts have been provided by the Personnel Cabinet and the Kentucky Commission on Human Rights:

- There were 40,335 permanent, full-time employees in the Executive Branch for 2000-2001. Of this total, 49.19% were women.
- At the end of 2001, women employees had increased to 49.74% of the state's workforce but earned only 47% of the state's payroll, resulting in a gap of 2.74%.
- For the period January 1, 2000 to December 31, 2001, employment registers indicate 15,511 appointments to state jobs. Of those identified by gender, 6,812 or 43.92% were male and 7,495 or 48.32% were female.
- There were 1,418,167 names considered for employment. Of those identified by gender, 436,835 or 30.80% were male and 862,789 or 60.84% were female. Of the 24,321 interviewed, 9,595 or 39.42% were male and 12,780 or 52.50% were female.
- There were 8,297 promotional opportunities posted for the time period January 1, 2000 to December 31, 2001. Of those identified by gender, males received 3,956 promotions or 50.9% of the total. Women received 3,812 promotions or 49.1%.
- In 2001, personnel actions resulted in 415 demotions, with 60.2% being females. Available data does not indicate what percentage of these demotions was voluntary and what percentage was not. (See Appendix 1)

These statistics would seem to indicate that women indeed have made progress toward equity in state government employment, especially in the areas of new appointments to state jobs and promotional opportunities. However, unacceptable levels of inequity are indicated in the differences shown in the total percentages of women vs. men in state employment, the gap in percentages each gender earns of the state's total payroll, and the high percentage of females who have been demoted to lower job class levels.

The inequity suggested by these facts is supported by comments received in the "Women in State Government Questionnaire." (See Appendix 2 and 3) This survey, created by this committee, was available to all employees who had access to the state intranet during

January-February, 2002. In addition, certain agency contacts were asked to disseminate the surveys to fellow employees by email and to send printed copies to interested employees who did not have access to a computer. Approximately 1,758 responses were received. It is clear from the survey's comments that inequities exist for women in state government, despite the existence of both federal and state statutes that provide legal protection from employment discrimination:

- *"There are employees holding the same position as I who have lower number of employment years and the same education as I who make at least 10% more than I do."*
- *"In the past, I have seen the females do the same job as the males, but the males advance quicker to management positions."*
- *"I have worked in areas before where the climate didn't discourage sexual harassment of women. Supervisors had no control over certain difficult employees and tended to just look the other way, rather than deal with them."*
- *"I was told by a manager that I talked to about a position that he didn't want a woman because there were more men in the industry (that is regulated) than women, and he would feel more comfortable hiring a man for the position. Then he explained that there were women in similar positions out there that did their jobs well, but he didn't want to deal with any safety issues regarding females out in the field."*
- *"Employer discriminates against all people over 50 regardless of whether they are male or female. This discrimination exists for promotion, education and training opportunities."*
- *"My highest concern reflects the state's overall lack of protection against discrimination on the basis of sexual orientation."*
- *"I know at least in this office, men are paid more than women, and there is an equal sharing of the work. Some of the higher level female employees earn a lot less than their equally ranked male counterpart(s)."*

Within this first challenge, the following conclusions were reached:

## **1. A wage gap exists between male and female state employees.**

Laws barring discrimination in education and employment have helped give working women opportunities, but this increase in opportunities has not closed the door on pay discrimination. Equal pay has been the law since 1963, but today's women are still paid less than men, even when they do similar work and have similar education, skills, and experience. Salary data demonstrates that a wage gap exists and that there is an inconsistent application of compensation policies and procedures in state government, both within and among the state's agencies.

In the 2002 Kentucky Commission on Human Rights report, The Status of Women and Minorities in Kentucky State Agencies: An Analysis of Employment, Job Levels, and Salaries, all Executive Branch cabinets reported salary gaps between male and female employees.

Possible causes for this wage gap are:

- ***Hiring practices leading to wage inequities***
  1. Appointing more men to the midpoint salary: Historically, more men than women have been hired at the midpoint of the salary range. Between 1994 and 1999, more males were hired at the midpoint level in all grade levels with only two exceptions. In the fiscal year 2000-2001, the percentage of women hired at the midpoint range was greater than men hired at all grade levels. Despite this change, those large numbers of women initially hired at a lower salary than men in the fiscal years 1994-1999 are very unlikely to bridge the wage gap during their careers in state government. (See Appendix 4)
  2. Failing to meet affirmative action goals: According to reports from the Kentucky Commission on Human Rights and additional Equal Employment Opportunity (EEO) statistics from the Personnel Cabinet, some cabinets consistently have trouble meeting their affirmative action goals for hiring women.
    - a. In the Kentucky Commission on Human Rights report, Status of Women in Kentucky State Agencies: An Analysis of Employment Job Levels and Salaries as of November, 1994, the state's affirmative action plan stated a goal of 52% employment for women, but state government actually achieved 48.9%. The Justice and Transportation Cabinets employed the lowest percentage of female workers of all state agencies (for the sixth straight biennium).
    - b. In the Semi-Annual Report on Minority Employment, July 1, 2001-December 31, 2001, a statistical report from the state's EEO office, these cabinets/agencies failed to meet their affirmative action goals for female hires: Finance and Administration, Department of Agriculture, Lt. Governor's Office, Local Government, Attorney General's Office, Military Affairs, Governor's Office of Technology, Justice, Natural Resources and

Environmental Protection, Tourism, and Transportation. The state goal was 52.42% participation of women in the state's workforce. The actual state total achieved was 49.79%.

- c. In the June 2002 Kentucky Commission on Human Rights report, The Status of Women and Minorities in Kentucky State Agencies: An Analysis of Employment, Job Levels, and Salaries, total female employment increased from 49% to 49.8% but was still far away from reaching the affirmative action goal of 52.42%. The following three cabinets continued to rank at the bottom in hiring women employees: Natural Resources and Environmental Protection, Justice, and Transportation. Salary analysis indicated that, statewide, the salary gap between men and women still continued at unacceptable levels, despite evidence of progress.

- ***Need for salary advancements and adjustments***

1. Average monthly salaries: Research conducted at the request of the Personnel Cabinet shows a significant difference in the average salaries of men and women. The average male monthly state salary in 2001 was \$2,829, while the average female salary was \$2,642, and the average minority salary was even lower at \$2,578. An examination of average salaries for men and women shows that women fall short of the male average regardless of grade groupings and years of service. Even with twenty-five years of service, at any employment grade level, the average monthly salary for women never reaches the level paid to men. (See Appendix 5 and 6)
2. According to the Kentucky Commission on Human Rights 2002 report, The Status of Women and Minorities in Kentucky State Agencies: An Analysis of Employment, Job Levels, and Salaries, the gap between the salaries of men and women increased by \$343. Women only earned 90 cents for every dollar that men earned (up from 88 cents to a dollar from 1997). The Personnel Cabinet and the Cabinet for Economic Development exhibited the largest salary gaps between men and women, with women earning \$10,000--\$11,000 less than males. (pp.45-46 of 2002 Human Rights report)
3. Pay equity reforms: Attempts to address pay equity issues have not been fully successful.
  - a. Hay Study – A two-year study of the state's job classification and compensation system was completed in 1997 by the Hay Management Group with the cooperation of the Personnel Cabinet. The Hay Group consultants investigated the state's numerous job classifications with the goal of reducing the number of classifications and also studied pay equity between the classifications of jobs traditionally held by males and females. Some of its recommendations were:
    - 1) Eliminate the traditional 5 percent, across-the-board pay raise; instead, the percentage of pay raises would vary, with the lowest paid receiving the biggest increase, while the highest paid employees would receive a lower percentage;
    - 2) Help narrow wide-ranging gaps in how much people are paid for doing the same job;
    - 3) Determine a job's value, or 'midpoint,' by comparing job responsibilities with the private and public market;
    - 4) Apply salary caps for employees making more than the maximum end of the classification range; and
    - 5) Award bonuses for those suffering salary compression (occurs when new employees are hired at higher salaries than veteran employees).

The report was finalized too late to be presented to the 1998 legislative session for action. Personnel officials hoped by delaying action there would be time to adequately inform state employees and gain their support for the recommendations before the 2000 legislative session.

- b. Compensation regulations amended – The compensation plan for state employees is outlined in 101 KAR 2:034. Before 1999, the personnel regulations required a single 5% salary increase for any personnel action resulting in a pay grade level or levels increase. Any employee who may have received a promotional increase of two or more levels would have only received a 5% increase. However, if the agency could justify an unusual increase in the level of responsibility, an agency could give an increase of 10% or 15%, with written approval of the Commissioner (now Secretary) of Personnel. Anecdotal evidence suggests that this discretionary practice benefited more male than female employees. In August 1999, this part of the regulation was changed. Any employee who now receives a pay grade level or levels increase earns a 5% *per pay grade* increase in salary. Later amendments, effective on January 14, 2002, reaffirmed that all employees who are reclassified or reallocated to a higher pay grade receive a salary increase. Employees reclassified or reallocated to a lower pay grade may keep the same salary but are ineligible for additional pay increases other than annual increments until moved to job classes with higher pay grades than they were in prior to the reclassification or reallocation. While these changes do allow for consistent application of pay grade level increases for personnel actions, veteran state employees who had pay grade increases under the old regulations will not be able to recoup the lost pay. For female state employees, this removes one means of achieving wage equity.
- c. House Bill 12 (HB 12) – HB 12, a pay equity bill, attempted to deal with a form of gender-wage discrimination resulting from employers paying unequal salaries to workers doing different jobs that require equivalent skill, effort, responsibility, and working conditions. Kentucky Representative Joni Jenkins (D-Shively) sponsored

the bill in the 2000 General Assembly session that would have allowed women to win back pay and damages in court if they could show they were being paid less than men for jobs that require the same skill, effort, responsibility, and working conditions. If it had passed, the bill would have been the strongest of its kind in the nation. The law would have also required the submission of annual reports on wages and their calculations that would have helped the tracking of financial data. The bill passed the house with a 93-1 vote but stalled in the Senate State and Local Government Committee.

- d. Governor Patton's Executive Order to address state workers' pay inequity – On July 3, 2001, Governor Patton issued Executive Order 2001-852 in an effort to address the inequities of the state's compensation system. The goal of the plan is to bring lower paid workers up to a more equitable and competitive level by:
  - 1) Establishing a uniform 10 percent increment between grades;
  - 2) Establishing a midpoint wage for each grade that is 39 percent above entry-level wage;
  - 3) Reassigning grades to classifications that had assigned grades which were 3-5 grades too low so that none were more than two grades below; and
  - 4) Creating a system of automatic increases to the entry level and midpoint wage based on the private job market for cost-of-living increases.

While it is clear that new employees benefit from the Governor's wage equity plan, many state employees believe that the plan does not address equity issues for veteran workers. Further studies are needed.

- **Poor representation of women in state job categories**

1. In the Kentucky Commission on Human Rights report, Status of Women in Kentucky State Agencies: An Analysis of Employment Job Levels and Salaries as of November, 1994, the Office/Clerical classification workers were comprised of 92% female, or 25% of all women employed in state government. One-third (568) of the 1,633 job classes had *no* female employees at all.
2. The Kentucky Commission on Human Rights recently released its 2002 study of women and minority employment in the state of Kentucky, The Status of Women and Minorities in Kentucky State Agencies: An Analysis of Employment, Job Levels and Salaries. The report indicates:
  - a. Overall percentage of women in state government increased from 48.68% to 49.74% between 1997 and 2001, but most held positions in low-paying jobs. Between 1997 and 2001, women gained 1,748 jobs in state government while men gained only 991 jobs.
  - b. Out of the state's eight job categories, affirmative action goals for female representation were achieved in only three job categories.
  - c. Of the top four job categories (Officials and Administrators, Professionals, Technicians, and Protective Service Workers), women exceeded the affirmative action plan goals in only the Officials and Administrators category. The Protective Service Workers was the worst job category with only 13.6% representation of women.
  - d. Women are underrepresented by 12% in two of the top four job categories and by 38% in others.
  - e. Women comprise 86% of the employees in the Office/Clerical category and 75.5% in the Para-professional category. Only 36% of employees in the category of Officials and Administrators were women.
3. The Internal Mobility Program provides online vacancy notifications for internal promotional opportunities to all state employees with merit status who are interested in promotional and transfer opportunities. Although it is a major step toward assuring that female state employees seeking transfers and promotions have equal access to job vacancy information, this program is deserving of study. There is a perception that its intent is being circumvented, and that agencies frequently are simply going through the motions of posting a vacancy when a decision has already been made on whom to hire or promote.

## **2. Women want a work environment free from harassment, intimidation, and violence.**

### ***Harassment and Intimidation***

As outlined in the Personnel Cabinet's employee handbook, state law prohibits sexual harassment in the workplace. Harassment might take the form of unwelcome sexual advances; requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; or other verbal or physical conduct of a sexual nature that has the purpose of or creates a hostile or offensive working environment. Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, visitors, clients, or customers, can bring the problem to the attention of agency officials or the Personnel Cabinet. Employees may bring the complaint to the attention of their supervisor, or if the complaint involves supervisory personnel in the employee's line of command, to another supervisor, the personnel manager, or the State's EEO Coordinator. Most cabinets/agencies have an established harassment policy, or at least refer to the Personnel Cabinet's policy, in their cabinet/agency employee handbooks.

Despite legal and regulatory protection against harassment and some cabinet/agency mandated training in this area, instances of sexual harassment *do* occur in state government. Comments from the “Women in State Government Questionnaire” indicate women in state government rank this issue as a high concern:

- *“When interviewing potential female employees, they are regularly warned about the behavior of the Commissioners. It would be nice if such warnings were rendered unnecessary because the Department made certain that unwanted advances did not occur.”*
- *“From observation it appears that sexual harassment is just “business as usual” whenever males supervise females. It also appears that the females are the ones who are punished, either by being transferred or fired.”*

According to the Personnel Cabinet, a total of 82 complaints of sexual harassment were reported in 2001 by the cabinets/agencies who supplied a quarterly EEO report to the Personnel Cabinet. (See Appendix 7) However, not all cabinets/agencies supply this information. This number could be higher if all state cabinets and agencies were required to submit this information. With complete disclosure, the extent of the problem would be clearer, and this knowledge would point out where there is a need for intervention training. Such reporting also does not indicate the outcome of these cases. While the Personnel Cabinet’s EEO office is a repository for the complaints and the investigation results, the information is not compiled into any meaningful, accessible database. The data can only be extracted manually by searching hundreds of individual reports.

As evidenced by comments from the “Women in State Government Questionnaire,” sexual harassment is only one form of harassment and intimidation experienced by women in state government. Discrimination and harassment also occur due to differences in sex, race, ethnicity, religion, and sexual orientation. Female employees working in traditionally male-dominated fields find themselves a target of the “good ol’ boy” network. Women may find it difficult in these environments to advance into management positions, participate in decision-making, or be seriously considered for training opportunities.

- *“In 20 years of employment by the cabinet, I have continually witnessed and experienced discrimination. . . Minorities and women feel helpless because there is no one to talk to about it. Sometimes the party is left feeling abused.”*
- *“I am definitely being treated unfairly due to my pregnancy. I talked with an EEO Officer and he helped none whatsoever.”*
- *“Even though I have a nice job, I have heard my boss comment on not hiring someone because they were a “hololy” or that she didn’t want any black people working with us.”*
- *“...I feel that a great detraction from female economic development in the DEP has to do with a double standard and an active “good old boy” or “hunt, spit and shoot club.” Females are kept at lower paying positions and are not allowed to advance inside the DEP...”*
- *“I strongly believe that part of my difficulty here has been because I am a lesbian, though I have bent over backwards to keep my work life and my personal life separate . . . [in my interview] the Commissioner grilled me repeatedly about my political affiliations until I finally admitted to being part of the Kentucky Fairness Alliance . . . .”*

### ***Violence in the Workplace***

Statistical data on incidences of workplace violence in state government is not readily available, even though there are models and keepers of data in individual cabinets/agencies. Cabinets/agencies do not report on these incidents to any central collection point. This data must be collected in order to create a statistical baseline for workplace violence incidences. However, collecting the data is only the first step. The data also needs to be analyzed and reported to all state cabinets/agencies. With the baseline established, goals, action plans, performance measures, and training programs can be developed.

Although statistical data was not located, comments from the “Women in State Government Questionnaire” indicate ongoing concern:

- *“Workplace violence and safety along with sexual harassment are areas that must be addressed often and with all seriousness...”*
- *“Our workplace in P&P is often dangerous in that we see families who are violent, addicted, angry. Stress rate is very high as we see horrible tragedies almost daily.”*
- *“Workplace safety is an issue of increasing concern since it is one of the leading causes of injury and death to women.”*
- *“I am concerned with workplace safety in that employees need more instruction on what to do if/when an angry taxpayer enters the building threatening violence and other threatening situations.”*

## Examples of Existing Resources

### 1. Federal discrimination laws

*Fair Labor Standards Act, 1938* (29 U.S.C. 201. et seq.) – This law specifies minimum wage and maximum hours for adults, regulations concerning overtime pay for time worked over 40 hours in a workweek, restrictions on the employment of children, and regulations concerning record-keeping.

*Equal Pay Act, 1963* (29 U.S.C. 206(d)) – This law prohibits discrimination on the basis of sex in wage payments for jobs that require equal skill, effort, and responsibilities under similar working conditions in the same establishment.

*Civil Rights Act, 1964* (42 U.S.C. 2000 et seq.; PL 88-352) – Title VII is the primary federal statute addressing discrimination in employment. It prohibits employment or membership discrimination by employers, employment agencies, and unions, based on race, color, religion, sex, or national origin. The act also created the Equal Employment Opportunity Commission (EEOC) to interpret and enforce employment discrimination laws. The Civil Rights Act was amended in 1972. These amendments, known as the Equal Employment Opportunity Act, permit the EEOC to bring enforcement actions in the federal courts.

*Civil Rights Act, 1991* (42 U.S.C. 1981a; 42 U.S.C. 2000e-2(k)-(n); PL 102-166) – This law allows compensatory and punitive damages in cases involving intentional discrimination based on sex, religion, or disability. Previously, this was available only to racial and ethnic minorities. Either party to a case can demand a jury trial. The law also prohibits “race-norming” or other discriminatory adjustment of test scores or cutoff points on the basis of race, color, religion, sex, or national origin. It also includes the Glass Ceiling Act of 1991 (see below).

*Glass Ceiling Act, 1991* (P.L. 102-166, P.L. 102-393) – This law establishes a Glass Ceiling Commission to study and make recommendations concerning the elimination of artificial barriers to the advancement of women and minorities that would increase opportunities and developmental experiences for women and minorities in management. The series of Glass Ceiling reports provide both theoretical background as well as specific suggestions for elimination of artificial employment barriers for women.

### 2. Kentucky statutes and regulations concerning employment discrimination

*Kentucky Administrative Regulations – KAR 101*

The official version of administrative regulations is the 2001 Kentucky Administrative Regulations Service (“Service”) and the monthly Administrative Register of Kentucky (“Register”), copyrighted by the Legislative Research Commission. KAR 101 provides regulations for classified and non-classified personnel. An unofficial copy is available on the Internet at <http://www.lrc.state.ky.us/kar/TITLE101.HTM>. For example, workplace violence is defined in 101 KAR 2:095, Section 9. It states that it shall be prohibited and violation of the regulation constitutes grounds for disciplinary action and referral for criminal prosecution.

*Kentucky Revised Statutes:*

*KRS 18A* is the legislation which concerns personnel matters. An unofficial copy is available on the Internet at <http://www.lrc.state.ky.us/KRS/018A00/CHAPTER.HTM>. Any Internet information should be checked against a printed certified version of the statutes as maintained by the Legislative Research Commission.

*Affirmative Action Plan (KRS 18A.138) – Enacted in 1972*

The law requires recruitment of women and minorities, manager training in “equal employment opportunity,” and the elimination of discrimination. No goals or quotas are legislated but the trend has been to work toward a workforce that is representative of the state’s population.

*KRS 337.420 to 337.433 and KRS 337.990(14)*

Kentucky employers are prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wage rates for comparable work on jobs that have comparable requirements. A fact sheet outlining these provisions is provided by the Kentucky Labor Cabinet at <http://www.state.ky.us/agencies/labor/discrim.htm>.

*KRS 337.275*

The Kentucky state minimum wage law does not contain current dollar minimums. Instead Kentucky adopts the federal minimum wage rate by reference. A fact sheet is also available on the Kentucky Labor Cabinet’s Web site.

*Kentucky’s Civil Rights Act (KRS 344.00)*

This Act prohibits discrimination in employment, housing, public accommodation, and credit on the basis of race, color, religion, age (40 and over), sex, disability, national origin, or family status.

### 3. Personnel Cabinet

The state employee handbook is found online at <http://personnel.ky.gov/>. The handbook contains information on Kentucky’s affirmative action plan, sexual harassment policy and grievance procedures, the state’s compensation and classification plans, and the policy statement on workplace violence.

### 4. Governor’s Executive Order Relating to Domestic Violence and Sexual Assault in the Public Workplace, August 2001

The Governor’s Executive Order instructs agencies on what to do to prevent domestic violence and sexual assault in the public workplace; i.e., post resource information where employees may obtain it, promote training, and take appropriate disciplinary action if necessary.

### 5. Governmental Services Center (GSC)



*Equal Employment Opportunity and You* – This workshop, designed for all employees, introduces equal employment opportunity laws and regulations, recent court cases and legislation, and legal responsibilities. It discusses issues regarding employee rights and responsibilities, the Americans with Disabilities Act, sexual harassment, interviewing, pregnancy, and more. It reviews and discusses scenarios covering protected classes. (only available by special arrangement with GSC after December 2002)

*Workplace Violence* – This workshop is designed to make the student more aware of the issues related to workplace violence and to give them some tools to help recognize, defuse, and prevent it. Trainees learn common causes of violent and aggressive behavior, the destructive results that even mild forms of aggression can create, and the warning signs of those who might pose a risk to a safe, secure workplace.

*Sexual Harassment Training* – GSC has delegated the task of providing sexual harassment training to the agencies. This course is designed to teach employees what sexual harassment is, what employee responsibilities are, and what a victim should do in the event of perceived sexual harassment. Upon request, a GSC consultant can customize a workshop or develop a special training program to meet the needs of the agency.

6. Written Guidelines from Cabinets on EEO Policies

Every cabinet/agency should have a policy on sexual harassment and violence in the workplace. These can be found in the cabinet's/agency's human resources office or can often be found on the cabinet's/agency's Internet or intranet web site.

7. Kentucky Commission on Human Rights

The Kentucky Commission on Human Rights' web site provides information on how to file a discrimination complaint and other useful links to state regulations and resource agencies.

<http://www.state.ky.us/agencies2/kchr/>

8. Kentucky Commission on Women

The Kentucky Commission on Women's publications web page provides a brochure on sexual harassment entitled, *Sexual Harassment in the Workplace*.

<http://women.state.ky.us/publications.htm>

9. Internal Mobility Program

This program is administered by the Personnel Cabinet to assure that all state employees seeking transfers and promotions have equal access to job vacancy information. Internet access is available at <http://personnel.ky.gov/promclas.htm>. As previously mentioned, this program can only be effective if its original intent is not circumvented by supervisors and managers who pre-select candidates based on gender or other selective criteria.

## **Examples of Successful Models**

1. Women in Highway Construction

The Kentucky River Foothills Development Council operates a program that recruits and trains disadvantaged women for entry-level jobs in the construction field. This program has placed an average of 70% of its graduates in jobs averaging \$10.00 per hour. This program is only one model of how the state can assist women to move into non-traditional fields that may bring higher wages. Other programs such as this exist across the state, but there does not appear to be a central listing of these programs.

2. Glass Ceiling Commission

This was a federal government initiative to study barriers to advancement for women and minorities through research, communications, and public hearings. Wisconsin has adapted this initiative as part of its state government (<http://www.dwd.state.wi.us/glassc/>). A similar process could be undertaken in Kentucky to investigate problems associated with achieving gender and minority hiring goals.

3. Women and Men at Work, Domestic Violence and Sexual Assault in the Public Workplace: A Kentucky Model Policy

This policy publication discusses responding to domestic violence and sexual assault in the public workplace, guidelines for employers, workplace safety planning for supervisors and managers, and workplace safety planning for victimized employees. Such a model could be adapted to include information and procedures for other types of workplace violence, including employee against employee violence, employee against supervisor violence, and supervisor against employee violence.

4. Dealing with Workplace Violence, A Guide for Agency Planners, U.S. Office of Personnel Management, OWR-09, February 1998

This federal document presents a plan to develop a training program, including a written policy statement, and methods of prevention.

5. The Governor's Minority Management Trainee Program

This program is a national model for the advancement of minorities in state government by providing intensive management training and by encouraging agencies to promote its participants and graduates.

## Recommended Action Steps

1. *Ensure agencies make measurable progress towards their EEO hiring goals by passing legislation to establish a compliance officer/department in the Governor's Office.* This legislation should outline the process of compliance reviews and consequences for failure to meet established goals.
2. *Create effective action plans to meet established goals for minority/gender hiring in all agencies through the Personnel Cabinet's EEO office.* These plans would be based on the EEO Advisory Committee's vision for change, and revisions in the State's Affirmative Action Plan to address this vision. All cabinet/agency plans would be submitted to the Governor's Office of Minority Affairs. Such plans should outline not only the goals but also include information on evaluation and sanctions for poor performance. A summary report, including resolution of issues, must be submitted after each quarter to the Governor's Office of Minority Affairs or the newly created compliance office in the Governor's Office. Currently, Affirmative Action Quarterly Reports are designed to monitor and resolve barriers affecting the goals outlined for women and minorities in state government. When issues are of a statewide nature, the State's EEO Office is responsible for working with agencies to eliminate the barriers. When issues are specific to the agency, the EEO Office should make recommendations for corrective action. The redesign and commitment to this process will assist in resolving compensation issues relating to the salary gaps between men, women, and minorities.
3. *Examine all state agencies, including universities and school systems, for consistent fair employment and compensation policies and procedures.* This should include changes in the compensation policy and regulations in the appointment to midpoint salary range to remove barriers that allow an adverse impact on or unfair treatment of women and minorities. The EEO office should review all appointments and recommend salary adjustments to correct any inequities. A summary report of the findings would be submitted to the Governor's Office of Minority Affairs or to the newly created compliance office in the Governor's Office.
4. *Conduct mandatory manager training, both introductory and continuing, on the administration of the classification and compensation systems and on EEO issues.* Such training should address not only the legal aspects but the stereotypical beliefs that limit opportunities for women. Merit and non-merit employee orientation and/or training should be mandatory on all personnel policies, especially EEO issues. GSC, or another designated organization, should write standards for such training to ensure that all employees receive proper and consistent instruction, regardless of cabinet/agency or trainer.
5. *Develop a database for EEO data that can be queried for analysis.* A form could be created and put on the intranet for agencies to complete on a monthly basis. This would eliminate the need for paper copies and expedite the analysis effort. Baseline data could then be created and goals established for agencies to use for performance measurement.
6. *Evaluate the state government compensation system in regard to the gender-based wage gap every four years or at the beginning of each gubernatorial administration for the purpose of implementing a plan for eliminating inequalities.*
7. *Encourage employment and promotional opportunities for women and minorities.* State agencies need to look at a variety of programs that would bring diversity to the workplace: recruiting programs, networking with other community programs that prepare women for nontraditional employment, formalized internship and mentoring programs, special work opportunities (task forces or rotational assignments), a women's or multi-cultural advisory council, a diversity awareness program, or employee surveys to better identify workplace attitudes. Cabinet/agency leadership should formulate succession plans for its female and minority employees interested in promotions and career development opportunities. One such means would be to support the creation of a management trainee program for women, similar to the Governor's Minority Management Training Program. Alternatively, the Governor's Minority Management Training Program could be expanded to include all women.
8. *Formulate personnel procedures that provide guidance for collecting workplace violence incidence data, procedures for conducting investigations, and standards for training.* Performance measures could then be put in place for the reduction of workplace violence.
9. *Mandate training for all state employees in workplace violence, as proposed in HB 545, 2002 General Assembly Session.* The bill would have mandated at least four hours of training in workplace violence prevention and awareness. It also would have required state agencies to implement workplace violence safety programs.

## Performance Indicators

1. Results of compliance reviews indicating progress toward achieving affirmative action goals, rather than just an identification of problems.
2. Results of employment audits that show reduction in hiring discrimination.
3. Increase in satisfaction of women toward their work environment, as learned through surveys.
4. Increase in the number of women that apply for and are hired into nontraditional and management positions in state government. (These job classifications would need to be determined.)
5. Reduction in the number of EEO complaints and in the number of incidences of workplace violence.

## **CHALLENGE II: Inconsistent Application and Lack of Communication of State Personnel Rules and Policies**

The committee set out to gather information from the major cabinets/agencies with the intent to compare personnel rules and policies among the agencies and also with the official state personnel laws and regulations. The process of obtaining rules and policies was extremely difficult and sometimes impossible; this task was also impossible for the Personnel Cabinet.

Personnel Cabinet Memorandum 96-1, issued in April 1996, informed agencies of a study to be conducted aimed at developing uniform operating procedures for administering personnel statutes and regulations. The memorandum requested that agencies submit a copy of any internal operating procedures for personnel issues being used within the individual agencies. According to General Counsel for the Personnel Cabinet, agency response was so inadequate that the project was never completed.

State agencies are given discretion in several key areas of personnel law and are not uniformly required to communicate agency rules and policies to employees. This inconsistent application and lack of communication of state personnel rules and policies has a disparate impact on the careers of women in state government because Glass Ceiling Commission research shows that women traditionally rely more on written rules and policies for career development than on the informal networks relied on heavily by their male counterparts.

To insure fair and equitable treatment of all employees, the following issues must be addressed:

### **1. Agency personnel rules and policies are not consistently accessible to employees.**

Agencies have discretion in how and when they communicate personnel rules and policies to employees.

- Some agencies have no uniform rules and policies.
- Anecdotal evidence indicates some agencies have “unwritten” rules and policies.
- Some agencies reference the rules and policies of the Personnel Cabinet, but may or may not have communicated that to employees.
- Some agencies have written hardcopy rules and policies.
- Some agencies have rules and policies on the Internet or intranet.

### **2. Agency personnel rules and policies are not consistently implemented.**

Agencies vary in their interpretation and implementation of existing personnel laws and regulations. This results in significant differences in personnel rules and policies across agencies.

- Rules and policies are not always communicated to employees.
- Rules and policies may not be uniformly applied.
- Rules and policies are not consistently reviewed and updated.
- All employees performing personnel functions are not receiving regular training.
- Agency interpretation of personnel laws may not follow the intent.

### **3. There is no effective monitoring of the application of personnel rules and policies.**

To provide protection for employees, there must be a formal means of monitoring agencies’ personnel rules and policies to insure compliance with existing laws and eliminate discriminatory practices.

- Agencies are not required to provide a copy of their rules and policies to the Personnel Cabinet.
- Kentucky Revised Statutes and Kentucky Administrative Regulations related to personnel issues may not be written clearly enough for agencies to follow consistently.
- Agency discretion in interpreting personnel laws and regulations may be too broad in areas common to all employees.
- Agency rules and policies may be in direct conflict with existing personnel law.

## **Examples of Existing Resources**

### **1. Personnel Cabinet**

The Personnel Cabinet has the expertise to provide oversight of agencies’ interpretations of personnel laws and regulations and to provide an avenue for employees to address areas of concern.

### **2. Internet/intranet**

The Internet or intranet provides an excellent vehicle for the dissemination of agencies' rules and policies that increases accessibility for employees.

3. Individual agency personnel administrators

Properly trained administrators provide an excellent resource for employees and should serve as the front line for communicating agency rules and policies.

4. Governor's Office

The Governor's Office could be an effective liaison for individual employees with their agencies or the Personnel Cabinet.

5. Kentucky Commission on Women

The Commission could serve as an important partner in developing personnel rules and policies that are fair and impartial to all employees.

6. PAL – The Personnel Cabinet's Personnel Answer Line

In the summer of 2002, the Personnel Cabinet established a toll-free number for state employees to call when they need answers to personnel questions. No data is available at this time to indicate its effectiveness in answering employee questions.

7. Kentucky Revised Statutes

*KRS 13A.120* defines prohibitions concerning promulgations of administrative regulations.

<http://www.lrc.state.ky.us/KRS/013A00/120.PDF>

*KRS 13A.130* prohibits administrative bodies from using internal policies or memorandums to modify, expand, or limit any statute or administrative regulation.

<http://www.lrc.state.ky.us/KRS/013A00/130.PDF>

## Examples of Successful Models

No comprehensive examples of successful models were found that fully address state employees' need for personnel information and support.

1. Characteristics of a successful model

a. Incorporates Merit System Principles and Prohibited Personnel Practices from the United States Code, Title 5, Part III, Subpart A, Chapter 23, Section 2301 and 2302

<http://www4.law.cornell.edu/uscode/5/>

b. Clearly communicated to all personnel

c. Readily available in multiple formats

d. Consistently applied

e. Regularly reviewed and updated

f. Penalties applied for noncompliance

2. Limited examples of successful communication

a. *Websites* - Finance and Administration Cabinet

<http://www.state.ky.us/agencies/adm/orientation.htm>

b. *Hardcopy manuals* - Transportation Cabinet

c. *New employee orientation process*

Several agencies have instituted a formal process for including a review of personnel rules and policies along with other information provided to new employees.

## Recommended Action Steps

1. *Require that all new employees be informed of their agency's rules and policies during the orientation process and that they complete a "New Employee Questionnaire" designed by the Personnel Cabinet to determine if personnel rules and policies were clearly communicated and understood.* Alternatively, a new employee orientation program could be provided through the Governmental Services Center (GSC).

2. *Require training and regular meetings with all personnel administrators, not just a representative group.*

3. *Require agencies to develop a plan for communicating personnel rules and policies to their employees on a regular basis.*

4. *Require all agencies to use an exit interview process to capture communication data.*

5. *Provide a safe avenue for employees to seek assistance when they believe personnel rules and policies are not being fairly defined or applied.* The person or office assigned to this task could be within the Personnel Cabinet or the Governor's Office. Point of contact information, including address, telephone, and e-mail, would be distributed at all orientation sessions and made available on the appropriate website.

6. *Improve communication between Personnel Cabinet and other Cabinets and agencies to ensure consistent interpretation and implementation.*

7. *Determine the effectiveness of the Personnel Cabinet's Personnel Answer Line (PAL) as a system of answering employee questions about personnel rules and policies. Ensure that the definition of effectiveness includes that all state employees are aware of the PAL line.*
8. *Require the Personnel Cabinet to implement a system of tracking and analyzing employee questions about personnel rules and policies. These findings should be disseminated on a quarterly basis.*
9. *Implement an annual survey of employees to determine their level of knowledge about personnel rules and policies and where problem areas might exist.*

## **Performance Indicators**

1. Number of cabinets/agencies that: (1) submit their personnel rules and policies to the Personnel Cabinet; (2) post their personnel rules and policies on the Internet or intranet; and (3) have developed plans for communicating personnel rules and policies on a regular basis.
2. Increase in communication with employees and employees' understanding of personnel rules and policies as shown by statistics compiled from a "New Employee Questionnaire", an annual employee survey, and the exit interview process.
3. Results of Personnel Cabinet audits of employee performance reviews that verify the communication of personnel rules and policies to all employees.
4. Reduction in employee questions and complaints. This activity is not currently tracked.
5. Increase in employee retention rates (lower turnover).
6. Legislation passed that restricts or eliminates discretion of agencies in the application of personnel rules and policies.

## **CHALLENGE III: Lack of Flexibility and Innovation in Employee Benefits**

Kentucky's state employee benefits package emulates other U.S. states; however, enhancement is needed. In the fall of 2001, the committee developed a survey to identify the benefits issues that are important to state government employees. (See Appendix 8) The survey was sent to both male and female state employees and does not represent a statistically valid sample. A total of 106 surveys were returned. Based on the returned surveys, the top three concerns identified were: (1) escalating out-of-pocket health insurance costs, (2) retirement benefits, and (3) leave benefits.

*Note:* Although recognized as an important issue for review, employees surveyed for the purposes of this report did not list partner benefits as one of the three top challenges. However, the University of Kentucky Health Benefits Task Force (November 2001) developed recommendations regarding expanded employee benefits and should be further studied by the Commonwealth of Kentucky.

In addressing the top three concerns, survey respondents commented:

- *"Health insurance has become almost unattainable for the average person."*
- *"Critical to long-term financial security, health insurance should include wellness discounts."*
- *"Retirement benefits will provide me the ability to continue a stable and rewarding life style after work completed."*
- *"Retirement benefits are critical to both my present and future economic well-being."*
- *"Any kind of leave that allows me to take time off work to address situations beyond my control without losing pay is important."*
- *"Women are usually the family member to take off for their children and need that extra time."*

This is an appropriate time for Kentucky to take the lead in addressing benefit issues existing in the workplace for women.

### **1. Escalating out-of-pocket health insurance costs**

Rising health care costs have resulted in employees facing greater financial responsibility for their own coverage and the coverage of their families. The Commonwealth presently contributes a minimum amount per month toward an employee's coverage. The employee must share the cost of the plan, and pay for additional options, including dental, vision, and family coverage, as well as increasingly higher deductibles and out-of-pocket expenses. As costs continue to escalate, there is an expectation that a much greater portion of an employee's salary will be committed to paying for this critically necessary benefit. The Commonwealth's contribution is insufficient. Among the many resources quoting the importance of health care benefits to women is Karen Nussbaum of the AFL-CIO, in the article, *"What Women Need Survey: Women's Workplace Concerns Shift Amid Soft Economy."* She noted the importance of "health care security" to women – with 91% of working women surveyed rating *health care cost* as the top legislative priority. The article also quoted Heather Boushay, an economist at the Economic Policy Institute in

Washington, D.C., who affirms that "employees now *have* to pay, as larger and larger chunks of their benefits come out of their own pockets."

## 2. Retirement benefits

Employees' worries about the stability of retirement benefits reflect a national concern.

- A smaller pay increase may lower retirement benefits. Employees will receive a 2.7% pay increase according to the Governor's 2003 spending plan.
- A lower state matching retirement contribution was included in the Governor's spending plan for 2003. There is confusion on the impact this reduction will have on employee retirement benefits.
- The rising cost of health care will place a strain on retirement benefits for current and future retirees. In the Courier Journal newspaper article, "As Drug Costs Skyrocket," the U.S. Chamber of Commerce indicates that escalating drug costs combined with increases in the cost of care may result in as much as an 18% increase per year in rates to ensure adequate coverage for retirees. Many retirees will be unable to continue to pay for this coverage. Public sector retirement programs provide an important source of pension coverage and are a significant part of the total retirement market and therefore, must be protected at all costs.

## 3. Leave benefits

There is a great need to offer flexibility and support for women in the workforce who are attempting to balance the responsibilities of work and family and who are facing the challenges of illness or disability. Fulltime employees accumulate annual leave at a rate and maximum dependent upon months of service. Other types of leave are sick leave, leave without pay, unpaid family and medical leave, court leave, compensatory leave, voting and election leave, special leave of absence (paid or unpaid) for continuing education or training, blood donation leave, and military leave. State government has worked to fulfill the needs of its female employees regarding leave; however, the following issues must be addressed:

- Inconsistent application of leave policies across state agencies due to agency discretion.
- Availability of and access to paid discretionary leave and an expanded leave-sharing program or leave bank would be of crucial help to women in state government. Millions of American workers who qualify for family or medical leave under the Family and Medical Leave Act of 1993 do not take it—2/3 of them say it is because they cannot go without pay. For those who do take unpaid leave, the financial hardship is great. One survey conducted by the National Partnership for Women and Families shows that one of every five low-income leave-takers is actually forced onto public assistance to make ends meet.
- Employees may also be eligible to participate in the state's sick leave sharing program (101 KAR 2:105). The current sick leave sharing program needs to be enhanced, and more flexibility added in order to ensure the availability of a paid leave sharing program that would accommodate more employees because:
  - a) Eligible employees who accrue sick leave and who have exhausted their leave balance may have sick leave donated to them by other eligible state employees. Currently, the employee requesting leave and the donor must meet eligibility requirements that are not always employee-friendly, and some co-workers do not donate leave because they wish to save their leave for retirement purposes.
  - b) An employee with short tenure in an agency might not have been able to develop a working relationship with co-workers who would donate leave.
  - c) A paid leave program would assist more employees, thus preventing employees from having to take leave without pay.
- Short- and long-term disability benefits are needed to provide for those employees who do not qualify for long term Social Security Disability. Social Security provides benefits to disabled workers based on their salary and number of years worked/contributed to the fund, replacing only a portion of one's salary. Eligibility requirements include: having been disabled for five months, expecting continuing disability of at least 12 months or ending in death, and the inability to be gainfully employed in any occupation.

## Examples of Existing Resources

### 1. Health Insurance

- State contributed health insurance premium
- Flexible benefit accounts

### 2. Retirement Benefits

- Annual increment

- State matching funds for retirement contributions
  - Deferred compensation plans
  - Conversion of sick leave to retirement time
3. Leave Benefits
- Excess leave from retirees and terminating employees
  - Annual and sick leave
  - Flexible benefit funds
  - Other paid leaves (court, blood, etc.)
4. General Resources
- CLICK HR Web Site – <https://kess.state.ky.us/ClickHR/Top/index.html>  
This web-based system gives each employee instant access to selected personnel information including pay statements, leave balances, and more. Through the use of individual passwords, each employee can view his or her own information.
  - Personnel Cabinet – This is the best resource for state employees to get the correct answers to questions or concerns that they may have regarding their rights and benefits as an employee of the Commonwealth of Kentucky.

## Examples of Successful Models

1. Escalating out-of-pocket health insurance costs  
There is a growing concern about the continued rise in employees' share of health care costs, with significant increases occurring for 2003. Each of the following programs has developed ways of easing the financial burden of health care upon its employees and are worthy of review and evaluation, with the goal of adopting similar programs to help Kentucky state government employees.
- Federal government workers are offered the choice of 350 health insurance programs and provide a large pool of workers for vendors. Kentucky has only five vendors from whom employees can choose, and in some areas of the state there is only one vendor.
  - The University of Kentucky has taken steps to relieve the cost burden of health insurance upon its employees by increasing its own contribution to the employee health insurance, thus decreasing the amount of premium the employee must contribute.
  - Alabama pays a greater portion of the premium costs for retirees on Medicare (100%).
  - West Virginia provides a premium assistance program. Qualified retirees may receive assistance in paying a portion of their monthly health premium and prescription drug co-payment.
2. Retirement benefits  
Each of the following models is noteworthy and should be reviewed and evaluated for possible replication in Kentucky.
- Missouri, South Carolina, Mississippi, Tennessee, and West Virginia provide some form of matching contribution to its Deferred Compensation Plan, thus enhancing retirement benefits for retirees.
  - Effective June 1, 2002, Florida began offering employees a standard as well as an investment fund retirement plan.
3. Leave benefits  
The following models should be considered for Kentucky.
- The California legislature passed legislation on August 30, 2002 that would expand the state's disability insurance program to provide up to six weeks of wage replacement benefits to workers who take time off to care for a seriously ill child, spouse, parent, domestic partner, or to bond with a new child. A more expansive bill has already passed the California State Senate. The bill uses California's existing disability insurance program to provide benefits for family and medical leave purposes. Funds for the California program will come from an increase in the state employees' disability insurance premiums. It now awaits the governor's signature or veto.
  - Jefferson County (Kentucky) Board of Education enhanced the employee leave program by establishing a leave bank for employees.
  - Leave for bone marrow and organ donation is a separate category of leave that is in addition to annual and sick leave for federal government employees. South Carolina offers bone marrow leave.
  - Arlington Heights (Illinois) School District allows up to four days of designated bereavement leave.
  - Employees at UPS receive seven discretionary days in addition to two weeks vacation each calendar year.
  - Mississippi provides paid discretionary days for employees. Some private companies are combining sick leave and vacation days into what is now called discretionary days.
  - The states of Virginia and Oklahoma provide state-funded short- and long-term disability for employees.
  - Florida offers one hour administrative leave per month for employees to participate in their children's school and daycare activities.
  - Arkansas has a leave incentive program, a lump-sum sick leave Bonus Award of \$20.00 per day.

## Recommended Action Steps

1. *Develop partnerships with university pharmacies (UK model, above) to gain greater negotiating power in purchasing prescription medications for state employees and retirees, which will also decrease the cost of insurance and prescription medications for employees and retirees, accordingly. Research the possibility of discount plans for employees and retirees. This could be a joint initiative with private sector and credit unions.*
2. *Explore the possibility of contracting directly with vendors state and nationwide to expand health care options for state employees. This challenge is in alignment with SCR34, signed by Governor Patton on March 28, 2002, directing a study of the feasibility of self-funding at least one health insurance option for state employees.*
3. *Pass legislation or create policy to address the funding of rising health insurance premium costs for employees and retirees—identifying supplemental ways to assure quality health care coverage for both groups.*
4. *Allow greater flexibility in the utilization of unused accumulated leave.*
5. *Allow excess accumulated leave from retirees and employees terminating state government to be transferred to a leave-sharing program.*
6. *Provide five paid workdays of bereavement leave and seven paid days of bone marrow or organ donor leave each calendar year (in addition to sick and annual leave).*
7. *Establish paid short- and long-term disability benefits for state employees, utilizing excess flexible benefit dollars or other identified funds to supplement the new benefit.*

## Performance Indicators

1. Dollar decreases in the amount of out-of-pocket health care costs
2. The number of satisfied persons per satisfaction survey
3. The number of persons electing to participate in an enhanced leave sharing program
4. New laws enacted that improve state employee benefits

## CHALLENGE IV: Barriers to Equal Opportunities for Education, Training, and Career Development

Everyday state employees provide valuable services to the public. Although workers may be trained to perform a certain job, the responsibility does not end there for their employers. In this global economy, both private industry and government sectors at all levels are competing against each other for trained and educated workers. Every year the Commonwealth of Kentucky is losing valuable employees to retirement, private industry, and other public sectors.

Research revealed that the biggest challenges employees are facing in the area of training and career development are in: (1) state sponsored and non-state sponsored training and (2) communication about and accessibility to career development opportunities (including employees outside of Frankfort).

### 1. State sponsored and non-state sponsored training

Research efforts regarding training revealed the following barriers:

- Written and unwritten agency policies regarding professional development.
- Inconsistent agency reimbursements to employees for professional expenses such as association dues, journal subscriptions, etc.
- Inconsistent availability and application of agency incentives for certification and career development.
- State sponsored training workshops cancelled due to low enrollment.
- Inconsistencies across agencies regarding training.

### 2. Communication about and accessibility to career development opportunities (including employees located outside of Frankfort)

- Agency policy is not consistent across the board.
- Not all employees are informed about career development opportunities.
- Every agency does not have required training for their employees.



- Lack of succession planning – low number of employees being prepared for transition into higher level jobs within their department or organization.
- Employees who live and work outside of Frankfort are facing problems that are creating barriers for career development.
- Workshops outside of Frankfort are being cancelled due to lack of enrollment.
- Lack of travel funds for mileage, meals, and lodging.
- Lack of cabinet/agency employee training plans.

To learn more about education and career development across the state, different surveys were developed and sent to both state workers and directors/managers/supervisors. (See Appendix 9 and 10) Approximately 70 surveys were returned. While this is not a statistically valid sample, relevant information can be gleaned from these responses, particularly when the responses of workers are compared with those of directors/managers/supervisors. Some of the results from this survey were interesting and are listed below.

- *Is there a specific amount of training that is mandatory for all employees each year?* Results showed 69% of state workers and 68% of directors/managers/supervisors said no, while 26% of state workers and 29% of directors/managers/supervisors said yes.
- *Is the training generalized, specific to your agency or department or job specific?* There were 46% of state workers and 58% of directors/managers/supervisors that had no answer listed for this question.
- *Are employees limited as to the number of classes they may take from GSC per year?* There were 34% of state workers and 13% of directors/managers/supervisors who didn't know.
- *Are all employees in your agency given equal opportunities for participation in the Certified Public Manager or other similar programs?* This is an important question that indicates if employees are informed about career development opportunities in their agency. The survey shows 37% of state workers did not know about these opportunities.
- *Does your agency have a "succession training" program to prepare employees for transition into higher level jobs within the departments or organizations?* 57% of state workers and 68% of directors/managers/supervisors answered no.
- *Have you ever had employees complain that they are expected to take on added responsibilities without training they need to perform those duties?* 34% of state workers and 42% of directors/managers/supervisors answered yes.

Information gathered from these surveys and other reports leads to a better understanding as to which agencies and departments are utilizing state and non-state sponsored training.

State government has two important agencies that provide training and career development opportunities. The Governmental Services Center (GSC) designs and provides learning opportunities in the areas of leadership, management, and interpersonal knowledge and skills. However, not every agency in state government has established a requirement for the number of training hours that their employees can acquire through GSC workshops. Some agencies that have set a standard for the development of their employees and send their employees to GSC are Criminal Justice, Juvenile Justice, Families and Children, Finance and Administration, Transportation, Agriculture, State Police, and Kentucky Housing Corporation. The second agency that provides training is the Governor's Office of Technology (GOT). Its Information Technology Training Division provides software and technical training opportunities for all Commonwealth employees. Examples of agencies that have required technology training programs for their workers are Medicaid, Transportation, Finance and Administration, and GOT.

Reports indicate both GSC and GOT had classes cancelled due to lack of enrollment. According to a GSC report, a total of 36 GSC workshops were cancelled during calendar year 2001. There were 335 males and 0 females enrolled in the cancelled workshops. Out of 36 classes, there were 10 classes that had zero enrollments for both male and female employees.

While there are a number of people working in various state agencies that have developed higher skill levels through career development opportunities, there is still a large portion of the state government workforce that could benefit from additional training and education.

## Examples of Existing Resources

### 1. Governmental Services Center (GSC)

GSC provides services in training, consultation, and organizational development to individuals and agencies in state government. It also keeps training records of individuals taking GSC workshops.

2. Governor's Office for Technology (GOT)

GOT serves the information technology needs of the Commonwealth of Kentucky by providing telecommunications services, computer and software training, e-mail and network services, and consulting and project management. It keeps training records of individuals taking GOT workshops.

3. Internet

Distance learning opportunities are available via the Internet. This includes the Kentucky Virtual University (<http://www.kyvu.org/>). KYVU offers a variety of online classes for high school, college, and professional training programs.

4. Training Plans

Various cabinets/agencies have implemented training plans, some of which utilize national models. One example is the Cabinet for Families and Children's implementation of Everyone a Leader (EAL). The effectiveness of such programs should be further evaluated.

## **Examples of Successful Models**

1. New York State Employee Training and Development Program – This program includes orientation for new employees, required training for workers, and opportunities for distance learning. <http://www.goer.state.ny.us/orientation/training.html>  
Additional information on New York State's distance learning program is reviewed at [http://www.washingtontechnology.com/news/15\\_5/tech\\_features/1410-1.html](http://www.washingtontechnology.com/news/15_5/tech_features/1410-1.html)
2. Minnesota State Employee Training Summary – This program includes required training for workers. <http://www.auditor.leg.state.mn.us/ped/bp/training.htm>
3. Virginia Employee Training and Development – This program includes required training for workers. <http://www.dpt.state.va.us/hrpolicy/policy/emptrain.htm>

## **Recommended Action Steps**

1. *Create an Orientation Program Guide for employee training and development that all agencies and every department must adopt.*
2. *Set guidelines for all departments for required training programs for their employees for the minimum and maximum number of training hours per quarter.*
3. *Develop policies communicating the significance of training.*
4. *Develop procedures to implement training policies.*
5. *Develop individual training plans.*
6. *Include input of employees in developing their training plans.*
7. *Offer more GSC and GOT classes as distance learning training for those employees living and working outside of Frankfort.*
8. *Monitor employees' training progress for higher skill levels.*

## **Performance Indicators**

1. Decrease in the number of transfers
2. More productive and satisfied employees
3. Increase in the number of employees promoted from within agency to fill job vacancies (due to an increase in training received)
4. Employee progress can be monitored by a demonstrated increase in the amount of training received by state employees.